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09/606,422	06/29/2000	Jay S. Walker	99-037	7990
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WALKER DIGITAL, FIVE HIGH RIDGE PARK STAMFORD, CT 06905			HUTTON JR, WILLIAM D	
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			2179	

DATE MAILED: 11/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/606,422

Applicant(s)

WALKER ET AL.

Examiner

Doug Hutton

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-62 and 64-85 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-62 and 64-85 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 June 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### ***Applicant's Response***

In Applicant's Response dated 14 June 2004, Applicant amended Claims 1, 38, 40, 50, 61, 64-67, 69, 70, 84 and 85, cancelled Claim 63, and argued against all objections and rejections previously set forth in the Office Action dated 11 March 2004.

The objection to the Abstract is withdrawn. The objections to Claims 16 and 39 are withdrawn. In light of Applicant's amendments, all rejections previously set forth are withdrawn.

### ***Claim Objections***

Claim 38 is objected to because of the following informalities:

- the term "preference" in Line 6 should be amended to — preferences — so that the claim reads more easily.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 13 and 14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

*Claim 13:*

The claim recites the limitation "wherein the data pattern includes a non-viewable data pattern" in Lines 1-2. This limitation is indefinite because it directly contradicts the limitation of Claim 1 that recites "the data pattern defines an arrangement of user-viewable text" (see Claim 1, Lines 6-7).

Applicant must amend Claim 13 so that it corresponds with Claim 1.

Claim 14 also recites a "non-viewable data pattern" and thus has the same problem.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-52, 54-62 and 64-85 are rejected under 35 U.S.C. 103(a) as being unpatentable over Merriman et al., U.S. Patent No. 5,948,061, in view of van Hoff, U.S. Patent No. 5,822,539.

*Claim 1:*

Merriman discloses a method for providing a link in an electronic file being presented to a user (see Column 1, Lines 8-11), comprising:

- defining a customized viewpoint for the user that includes a preference for the user (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention discloses this limitation in that it includes an advertising server process that determines a set of banner advertising objects based on information that is collected about a particular user; the “customized viewpoint” is the web page requested by the user, to which the banner ad is attached; the “preference for the user” is the information collected about each particular user, said information being collected, stored and used to target banner ads to particular users), the preference for the user providing an association between a data pattern and a computer network resource (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention discloses this limitation in that it includes an advertising server process that determines a set of banner advertising objects based on information that is collected about a particular user; the phrase “the preference for the user providing an association between a data pattern and a computer network resource” is the advertising server process by which a banner ad is selected based on the information about the user requesting the web page; the “data pattern” is the combination of the various pieces of information collected about a particular user, and the “association” between the “data pattern” and the “computer network resource” is the result of the banner ad being selected for a

particular user, said selection based on the combination of the various pieces of information considered);

- generating a request for content (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention generates a “request for content” in that it generates an HTTP request to get information for an affiliate web site); and
- in response to the request, receiving an electronic file (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention receives an electronic file “in response to the request” in that the affiliate web site sends information back to the client that will allow the user’s browser to display the affiliate’s web page).

Merriman fails to expressly disclose:

- a data pattern that defines an arrangement of user-viewable text;
- evaluating the electronic file to recognize a match between at least one portion of the electronic file and the data pattern;
- upon recognizing a match, modifying the electronic file to include a link to the computer network resource associated with the matching data pattern;
  - in which the link comprises a hyperlink associated with a URL of the computer network resource,
  - in which the hyperlink is included at a location that is based on a location of the matched portion of the electronic file; and
- presenting the modified electronic file to the user.

Van Hoff teaches a method for providing a link in an electronic file being presented to a user (see Column 2, Line 66 through Column 3, Line 3), comprising:

- a data pattern that defines an arrangement of user-viewable text (see Figures 3 and 4; see Column 6, Line 64 through Column 8, Line 29 – the referenced invention teaches this limitation in that the annotation proxy server parses the requested document and compares the text of said document to match patterns in the annotation directory);
- evaluating the electronic file to recognize a match between at least one portion of the electronic file and the data pattern (see Figures 3 and 4; see Column 6, Line 64 through Column 8, Line 29 – the referenced invention teaches this limitation in that the annotation proxy server parses the requested document and compares the text of said document to match patterns in the annotation directory);
- upon recognizing a match, modifying the electronic file to include a link to the computer network resource associated with the matching data pattern (see Figures 3 and 4; see Column 6, Line 64 through Column 8, Line 29 – the referenced invention teaches this limitation in that the automated document annotation system inserts a hyperlink to a cross-reference source whenever the text of the requested document matches a match pattern in the annotation directory),
  - in which the link comprises a hyperlink associated with a URL of the computer network resource (see Figure 4 – the referenced invention teaches this limitation, as clearly indicated in the cited figure),

- in which the hyperlink is included at a location that is based on a location of the matched portion of the electronic file (see Figure 4 – the referenced invention teaches this limitation, as clearly indicated in the cited figure); and
- presenting the modified electronic file to the user (see Figures 3 and 4; see Column 6, Line 64 through Column 8, Line 29 – the referenced invention teaches this limitation in that the automated document annotation system inserts a hyperlink to a cross-reference source whenever the text of the requested document matches a match pattern in the annotation directory and generates the annotated document),

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document (see Column 2, Lines 7-11).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Merriman, to include:

- a data pattern that defines an arrangement of user-viewable text;
- evaluating the electronic file to recognize a match between at least one portion of the electronic file and the data pattern;
- upon recognizing a match, modifying the electronic file to include a link to the computer network resource associated with the matching data pattern,



- in which the link comprises a hyperlink associated with a URL of the computer network resource,
- in which the hyperlink is included at a location that is based on a location of the matched portion of the electronic file; and
- presenting the modified electronic file to the user,

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document, as taught by van Hoff.

*Claim 2:*

Merriman discloses a defining step that includes selecting the customized viewpoint from among a plurality of viewpoints (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention selects the customized viewpoint from among a “plurality of viewpoints” in that the advertising server keeps information about a plurality of users in order to determine which banner advertisements to send to a particular user).

*Claim 3:*

Merriman discloses a selecting step that includes selecting the customized viewpoint based upon data that identifies the user (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention selects the customized viewpoint “based

upon data that identifies the user” in that the advertising server gathers information about individual users - thus “identifying” the individual users - and uses that information to select a particular set of banner advertisements).

*Claim 4:*

Merriman discloses a selecting step that includes selecting the customized viewpoint based upon a characteristic of the user (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention selects the customized viewpoint based upon a “characteristic” of the user in that it uses information such as the user’s country, organization type and/or interests to select a user’s “customized viewpoint”).

*Claim 5:*

Merriman discloses a selecting step that includes selecting the customized viewpoint based upon a selection by the user (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention selects the customized viewpoint based upon a “selection by the user” in that it uses information such as web pages previously visited by the user to select a user’s “customized viewpoint”).

*Claim 6:*

Merriman discloses a selecting step that includes selecting the customized viewpoint based upon data obtained from a cookie file stored on a computer that is being operated by the user (see Column 2, Line 59 through Column 9, Line 16 – the

referenced invention selects the customized viewpoint based upon a data obtained from a “cookie file” stored on a computer that is being operated by the user as specified in the cited text).

*Claim 7:*

Merriman discloses a user that is a member of an organization, and the customized viewpoint is defined by the organization (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention discloses this limitation as indicated in the above rejection for Claim 43).

*Claim 8:*

Merriman discloses a user that is a member of a category of users, and the viewpoint is customized for the category of users (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention discloses this limitation in that an “organization” is a “category of users” and the “viewpoint” is “customized” based on information collected by the advertising server process for that particular category of users).

*Claim 9:*

Merriman fails to expressly disclose:

- a customized viewpoint that is defined to include a second preference for the user providing an association between a second data pattern and a second computer network resource.

Van Hoff teaches a method for providing a link in an electronic file being presented to a user (see Column 2, Line 66 through Column 3, Line 3), comprising:

- a customized viewpoint that is defined to include a second preference for the user (see Figure 2; see Column 4, Line 57 through Column 6, Line 63 – the referenced invention teaches this limitation in that the annotation proxy server parses the requested document and compares the text of said document to a plurality of match patterns in the annotation directory) providing an association between a second data pattern and a second computer network resource (see Figures 3 and 4; see Column 6, Line 64 through Column 8, Line 29 – the referenced invention teaches this limitation in that each match pattern in the annotation proxy server is paired with a hyperlink), in which each data pattern defines a respective arrangement of user-viewable text (as indicated in the above rejection for Claim 40, the reference invention teaches this limitation),

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document (see Column 2, Lines 7-11).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Merriman, to include:

- a customized viewpoint that is defined to include a second preference for the user providing an association between a second data pattern and a second computer network resource,

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document, as taught by van Hoff.

*Claim 10:*

Merriman fails to expressly disclose:

- a preference that provides an association between a second data pattern and the computer network resource.

Van Hoff teaches a method for providing a link in an electronic file being presented to a user (see Column 2, Line 66 through Column 3, Line 3), comprising:

- a preference that provides an association between a second data pattern and the computer network resource (the referenced invention teaches this limitation in that the annotation directories are capable of including a plurality of match patterns that correspond to a single hyperlink),

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document (see Column 2, Lines 7-11).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Merriman, to include:

- a preference that provides an association between a second data pattern and the computer network resource,

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document, as taught by van Hoff.

*Claim 11:*

Merriman fails to expressly disclose:

- a data pattern that includes a user-viewable data pattern.

Van Hoff teaches a method for providing a link in an electronic file being presented to a user (see Column 2, Line 66 through Column 3, Line 3), comprising:

- a data pattern that includes a user-viewable data pattern (see Figures 3 and 4; see Column 6, Line 64 through Column 8, Line 29 – the referenced invention teaches this limitation in that the annotation proxy server parses the requested

document and compares the text of said document to match patterns in the annotation directory),  
for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document (see Column 2, Lines 7-11).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Merriman, to include:

- a data pattern that includes a user-viewable data pattern,

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document, as taught by van Hoff.

*Claim 12:*

Merriman fails to expressly disclose a user-viewable data pattern that is selected from the group consisting of a text pattern and a graphic pattern.

Van Hoff teaches a method for providing a link in an electronic file being presented to a user (see Column 2, Line 66 through Column 3, Line 3), comprising:

- a user-viewable data pattern that is selected from the group consisting of a text pattern and a graphic pattern (see Figure 4 – the referenced invention teaches this limitation, as clearly indicated in the cited figure),

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document (see Column 2, Lines 7-11).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Merriman, to include:

- a user-viewable data pattern that is selected from the group consisting of a text pattern and a graphic pattern,

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document, as taught by van Hoff.

*Claim 13:*

Merriman discloses a data pattern that includes a non-viewable data pattern (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention defines a “non-viewable data pattern” in that it includes an advertising server process that determines a set of banner advertising objects based on information that is collected about a



particular user and the HTML tags that define the advertising objects; the information collected about each particular user and the HTML tags are the “data pattern” and are “non-viewable” in that they are not viewed by the user).

*Claim 14:*

Merriman discloses a non-viewable data pattern that is selected from the group consisting of a metatag, a script and an applet (as indicated in the above rejection for Claim 13, Merriman discloses a non-viewable data pattern that include HTML tags).

*Claim 15:*

Merriman discloses a preference that is defined by the user (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention comprises a preference “defined by the user” in that the advertising server process determines the “preferences” based on information that is collected about a particular user, such as the interests of the user and web sites that the user frequently visits).

*Claim 16:*

Merriman discloses a method, implemented by a software program, wherein the preference is defined by a publisher of the software program (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention comprises a preference “defined by the publisher of the software program” in that the advertising server process is a

“software program” and the “publisher,” or the software programmer, codes the software to determine the “preferences;” thus, the programmer “defines” the “preferences”).

*Claim 17:*

Merriman discloses a preference that is defined by a third party (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention comprises a preference “defined by a third party” in that the management process allows the advertisers to get reports on the placement of the advertisements, which are used to better target advertising at the users).

*Claim 18:*

Merriman discloses a preference that associates the data pattern with address information for the computer network resource (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention comprises a preference that “associates” the “data pattern” with address information for the computer network resource in that the advertising server process inserts banner advertising that includes a hyperlink into the affiliate’s web pages).

*Claim 19:*

Merriman discloses a customized viewpoint that further includes information indicative of when the preference will expire (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention comprises a “customized viewpoint” that includes

information “indicative of when the preference will expire” in that the start dates and end dates are set for the preferences).

*Claim 20:*

Merriman discloses a preference that has an originator, and the customized viewpoint includes information indicative of the originator (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention comprises a “preference” that has an “originator” because the “preferences” are created by either a software application, a programmer or an advertiser; the referenced invention comprises a “customized viewpoint” that includes information “indicative of the originator” in that the banner advertising indicates the source of that advertising).

*Claim 21:*

Merriman discloses a customized viewpoint that further includes information corresponding to a status of the preference (see Column 2, Line 59 through Column 9, Line 16 – as indicated in the above rejection for Claim 19, the referenced invention comprises a “customized viewpoint” that includes start dates and end dates for the preferences; thus, the referenced invention comprises information corresponding to a “status” of the preference).

*Claim 22:*

Merriman discloses a status information that is indicative of whether the preference is enabled (see Column 2, Line 59 through Column 9, Line 16 – as indicated in the above rejection for Claim 19, the referenced invention comprises a “customized viewpoint” that includes start dates and end dates for the preferences; each preference is “enabled” if the end date has not yet expired; thus, the referenced invention comprises information that is “indicative of whether the preference is enabled”).

*Claim 23:*

Merriman discloses a customized viewpoint that includes information representing a payment amount for use of the preference (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention comprises a “customized viewpoint” that includes information “representing a payment amount for use of the preference” in that the advertisers pay the affiliates a fee for the “preferences”).

*Claim 24:*

Merriman fails to expressly disclose:

- a customized viewpoint that includes a plurality of preferences, each providing an association between at least one data pattern and a computer network resource, and the viewpoint is defined by a preference database having a record for each of the preferences.

Van Hoff teaches a method for providing a link in an electronic file being presented to a user (see Column 2, Line 66 through Column 3, Line 3), comprising:

- a customized viewpoint that includes a plurality of preferences (see Figure 2; see Column 4, Line 57 through Column 6, Line 63 – the referenced invention teaches this limitation in that the annotation proxy server parses the requested document and compares the text of said document to a plurality of match patterns in the annotation directory), each providing an association between at least one data pattern and a computer network resource (see Figures 3 and 4; see Column 6, Line 64 through Column 8, Line 29 – the referenced invention teaches this limitation in that each match pattern in the annotation proxy server is paired with a hyperlink), and the viewpoint is defined by a preference database having a record for each of the preferences (see Figures 3 and 4; see Column 6, Line 64 through Column 8, Line 29 – the referenced invention teaches this limitation in that the annotation proxy server pairs each match pattern with a hyperlink), for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document (see Column 2, Lines 7-11).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Merriman, to include:

- a customized viewpoint that includes a plurality of preferences, each providing an association between at least one data pattern and a computer network resource, and the viewpoint is defined by a preference database having a record for each of the preferences,

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document, as taught by van Hoff.

*Claim 25:*

Merriman discloses generating a request that is initiated by the user (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention comprises a user “generating a request” in that the affiliates include popular web sites; the user “generates a request” by clicking on a hyperlink that directs the user to the affiliate’s web site).

*Claim 26:*

Merriman discloses the method of claim 25, wherein generating the request occurs in response to the user activating a hyperlink embedded in an object presented to the user (see Column 2, Line 59 through Column 9, Line 16 – as indicated in the above rejection for Claim 25, the referenced invention discloses every element of this claim).

*Claim 27:*

Merriman discloses the method of claim 25, wherein generating the request occurs in response to the user entering address information for the content (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention comprises a user “entering address information” in that the affiliates include popular web sites and the user enters URLs to retrieve the web pages on the browser).

*Claim 28:*

Merriman discloses the method of claim 1, wherein generating the request occurs without being initiated by the user (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention comprises “generating a request without initiation by the user” in that the affiliates include “service providers,” whose web sites automatically come up when a user logs into the Internet service; these affiliate web sites have banner advertising).

*Claim 29:*

Merriman discloses the method of claim 1, wherein the electronic file comprises a markup language file (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention comprises an electronic file that is a “markup language” file, as specified in the cited text).

*Claim 30:*

Merriman fails to expressly disclose evaluating the electronic file by comparing all of the user-viewable data portions of the markup language file with the data pattern of the preference.

Van Hoff teaches a method for providing a link in an electronic file being presented to a user (see Column 2, Line 66 through Column 3, Line 3), comprising:

- evaluating the electronic file by comparing all of the user-viewable data portions of the markup language file with the data pattern of the preference (see Figures 3 and 4; see Column 6, Line 64 through Column 8, Line 29 – the referenced invention teaches this limitation in that the annotation proxy server parses the requested document and compares the text of said document to match patterns in the annotation directory),

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document (see Column 2, Lines 7-11).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Merriman, to include:

- evaluating the electronic file by comparing all of the user-viewable data portions of the markup language file with the data pattern of the preference,



for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document, as taught by van Hoff.

*Claim 31:*

Merriman fails to expressly disclose evaluating the electronic file that includes examining the at least one portion of the electronic file and then comparing the at least one portion with the data pattern.

Van Hoff teaches a method for providing a link in an electronic file being presented to a user (see Column 2, Line 66 through Column 3, Line 3), comprising:

- evaluating the electronic file that includes examining the at least one portion of the electronic file and then comparing the at least one portion with the data pattern (see Figures 3 and 4; see Column 6, Line 64 through Column 8, Line 29 – the referenced invention teaches this limitation in that the annotation proxy server parses the requested document and compares the text of said document to match patterns in the annotation directory),

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document (see Column 2, Lines 7-11).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Merriman, to include:

- evaluating the electronic file that includes examining the at least one portion of the electronic file and then comparing the at least one portion with the data pattern,

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document, as taught by van Hoff.

*Claim 32:*

Merriman fails to expressly disclose evaluating the electronic file by recognizing a match between the at least one portion of the electronic file and at least one variation with the data pattern.

Van Hoff teaches a method for providing a link in an electronic file being presented to a user (see Column 2, Line 66 through Column 3, Line 3), comprising:

- evaluating the electronic file by recognizing a match between the at least one portion of the electronic file and at least one variation with the data pattern (see Figures 3 and 4; see Column 6, Line 64 through Column 8, Line 29 – the referenced invention teaches this limitation in that the annotation proxy server parses the requested document and compares the text of said document to

match patterns in the annotation directory; the referenced invention teaches comparing a “variation” of the data pattern in that the data pattern includes “wild card” characters),

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document (see Column 2, Lines 7-11).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Merriman, to include:

- evaluating the electronic file by recognizing a match between the at least one portion of the electronic file and at least one variation with the data pattern,

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document, as taught by van Hoff.

*Claim 33:*

Merriman fails to expressly disclose presenting the electronic file without modification if the evaluating step did not recognize a match.

Van Hoff teaches a method for providing a link in an electronic file being presented to a user (see Column 2, Line 66 through Column 3, Line 3), comprising:

- presenting the electronic file without modification if the evaluating step did not recognize a match (see Figures 3 and 4; see Column 6, Line 64 through Column 8, Line 29 – the referenced invention teaches this limitation in that the annotation proxy server parses the requested document and compares the text of said document to match patterns in the annotation directory; the referenced invention will not modify the document if the annotation proxy server does not find a match),

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document (see Column 2, Lines 7-11).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Merriman, to include:

- presenting the electronic file without modification if the evaluating step did not recognize a match,

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document, as taught by van Hoff.

*Claim 34:*

Merriman fails to expressly disclose modifying the electronic file upon a match by inserting address information for the computer network resource associated with the matching data pattern into the electronic file.

Van Hoff teaches a method for providing a link in an electronic file being presented to a user (see Column 2, Line 66 through Column 3, Line 3), comprising:

- modifying the electronic file upon a match by inserting address information for the computer network resource associated with the matching data pattern into the electronic file (see Figures 3 and 4; see Column 6, Line 64 through Column 8, Line 29 – the referenced invention teaches this limitation in that the automated document annotation system inserts a hyperlink to a cross-reference source whenever the text of the requested document matches a match pattern in the annotation directory),

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document (see Column 2, Lines 7-11).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Merriman, to include:

- modifying the electronic file upon a match by inserting address information for the computer network resource associated with the matching data pattern into the electronic file,

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document, as taught by van Hoff.

*Claim 35:*

Merriman fails to expressly disclose inserting the address information into the file based upon a location of the matching data pattern.

Van Hoff teaches a method for providing a link in an electronic file being presented to a user (see Column 2, Line 66 through Column 3, Line 3), comprising:

- inserting the address information into the file based upon a location of the matching data pattern (see Figures 3 and 4 – the referenced invention teaches this limitation, as clearly indicated in the cited figures),

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document (see Column 2, Lines 7-11).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Merriman, to include:

- inserting the address information into the file based upon a location of the matching data pattern,

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document, as taught by van Hoff.

*Claim 36:*

Merriman fails to expressly disclose modifying the electronic file upon a match that includes inserting a hyperlink for the computer network resource associated with the matching data pattern into the electronic file.

Van Hoff teaches a method for providing a link in an electronic file being presented to a user (see Column 2, Line 66 through Column 3, Line 3), comprising:

- modifying the electronic file upon a match that includes inserting a hyperlink for the computer network resource associated with the matching data pattern into the electronic file (see Figures 3 and 4; see Column 6, Line 64 through Column 8, Line 29 – the referenced invention teaches this limitation in that the automated document annotation system inserts a hyperlink to a cross-reference source

whenever the text of the requested document matches a match pattern in the annotation directory),  
for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document (see Column 2, Lines 7-11).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Merriman, to include:

- modifying the electronic file upon a match that includes inserting a hyperlink for the computer network resource associated with the matching data pattern into the electronic file,

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document, as taught by van Hoff.

*Claim 37:*

Merriman fails to expressly disclose presenting the modified electronic file to the user that includes presenting an indication of the link.

Van Hoff teaches a method for providing a link in an electronic file being presented to a user (see Column 2, Line 66 through Column 3, Line 3), comprising:



- presenting the modified electronic file to the user that includes presenting an indication of the link (see Figures 3 and 4; see Column 6, Line 64 through Column 8, Line 29 – the referenced invention teaches this limitation in that the automated document annotation system inserts a hyperlink to a cross-reference source whenever the text of the requested document matches a match pattern in the annotation directory and presents the annotated document to the user), for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document (see Column 2, Lines 7-11).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Merriman, to include:

- presenting the modified electronic file to the user that includes presenting an indication of the link,

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document, as taught by van Hoff.

*Claim 38:*

Merriman discloses a method for operating a Web browser to provide a link in a markup language file being presented to a user (see Column 1, Lines 8-11), comprising:

- defining a customized viewpoint for the user that includes at least one preference for the user (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention discloses this limitation in that it includes an advertising server process that determines a set of banner advertising objects based on information that is collected about a particular user; the “customized viewpoint” is the web page requested by the user, to which the banner ad is attached; the “preference for the user” is the information collected about each particular user, said information being collected, stored and used to target banner ads to particular users);
- each of the at least one preferences for the user providing an association between at least one data pattern and a Uniform Resource Locator address for a computer network resource (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention discloses this limitation in that it includes an advertising server process that determines a set of banner advertising objects based on information that is collected about a particular user; the phrase “each of the at least one preferences for the user providing an association between at least one data pattern and a Uniform Resource Locator address for a computer network resource” is the advertising server process by which a banner ad is selected based on the information about the user requesting the web page; the “data pattern” is the combination of the various pieces of information collected about a

particular user, and the “association” between the “data pattern” and the “Uniform Resource Locator address for a computer network resource” is the result of the banner ad being selected for a particular user, said selection based on the combination of the various pieces of information considered);

- generating a request for content (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention generates a “request for content” in that it generates an HTTP request to get information for an affiliate web site); and
- in response to the request, receiving an electronic file (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention receives an electronic file “in response to the request” in that the affiliate web site sends information back to the client that will allow the user’s browser to display the affiliate’s web page).

Merriman fails to expressly disclose:

- at least one data pattern that defines an arrangement of user-viewable text;
- evaluating the markup language file to recognize a match between at least a portion of the markup language file and the at least one data pattern of the at least one preference;
- upon recognizing a match, modifying the markup language file to include a hyperlink to the URL address for the computer network resource associated with the matching data pattern;
  - in which the hyperlink is included at a location that is based on a location of the matched portion of the markup language file; and

- presenting the modified markup language file to the user.

Van Hoff teaches a method for operating a Web browser to provide a hyperlink in a markup language file being presented to a user (see Column 2, Line 66 through Column 3, Line 3), comprising:

- at least one data pattern that defines an arrangement of user-viewable text (see Figures 3 and 4; see Column 6, Line 64 through Column 8, Line 29 – the referenced invention teaches this limitation in that the annotation proxy server parses the requested document and compares the text of said document to match patterns in the annotation directory);
- evaluating the markup language file to recognize a match between at least a portion of the markup language file and the at least one data pattern of the at least one preference (see Figures 3 and 4; see Column 6, Line 64 through Column 8, Line 29 – the referenced invention teaches this limitation in that the annotation proxy server parses the requested document and compares the text of said document to match patterns in the annotation directory);
- upon recognizing a match, modifying the markup language file to include a hyperlink to the URL address for the computer network resource associated with the matching data pattern (see Figures 3 and 4; see Column 6, Line 64 through Column 8, Line 29 – the referenced invention teaches this limitation in that the automated document annotation system inserts a hyperlink to a cross-reference

source whenever the text of the requested document matches a match pattern in the annotation directory),

- in which the hyperlink is included at a location that is based on a location of the matched portion of the markup language file (see Figure 4 – the referenced invention teaches this limitation, as clearly indicated in the cited figure); and
- presenting the modified markup language file to the user (see Figures 3 and 4; see Column 6, Line 64 through Column 8, Line 29 – the referenced invention teaches this limitation in that the automated document annotation system inserts a hyperlink to a cross-reference source whenever the text of the requested document matches a match pattern in the annotation directory and generates the annotated document),

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document (see Column 2, Lines 7-11).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Merriman, to include:

- at least one data pattern that defines an arrangement of user-viewable text;

- evaluating the markup language file to recognize a match between at least a portion of the markup language file and the at least one data pattern of the at least one preference;
- upon recognizing a match, modifying the markup language file to include a hyperlink to the URL address for the computer network resource associated with the matching data pattern,
  - in which the hyperlink is included at a location that is based on a location of the matched portion of the markup language file; and
- presenting the modified markup language file to the user,

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document, as taught by van Hoff.

*Claim 39:*

Merriman fails to expressly disclose presenting the modified markup language file to the user that includes presenting an indication of the hyperlink.

Van Hoff teaches a method for operating a Web browser to provide a hyperlink in a markup language file being presented to a user (see Column 2, Line 66 through Column 3, Line 3), comprising:

- presenting the modified markup language file to the user that includes presenting an indication of the hyperlink (see Figures 3 and 4; see Column 6, Line 64

through Column 8, Line 29 – the referenced invention teaches this limitation in that the automated document annotation system inserts a hyperlink to a cross-reference source whenever the text of the requested document matches a match pattern in the annotation directory and presents the annotated document to the user),

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document (see Column 2, Lines 7-11).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Merriman, to include:

- presenting the modified markup language file to the user that includes presenting an indication of the hyperlink,

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document, as taught by van Hoff.

*Claim 40:*

Merriman discloses a method for cross-referencing content of a first data structure to a computer network resource (see Column 1, Lines 8-11), comprising:

- defining a customized viewpoint for a user that includes a preference for the user (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention discloses this limitation in that it includes an advertising server process that determines a set of banner advertising objects based on information that is collected about a particular user; the “customized viewpoint” is the web page requested by the user, to which the banner ad is attached; the “preference for the user” is the information collected about each particular user, said information being collected, stored and used to target banner ads to particular users),
- the preference for the user providing an association between a data pattern and a computer network resource (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention discloses this limitation in that it includes an advertising server process that determines a set of banner advertising objects based on information that is collected about a particular user; the phrase “the preference for the user providing an association between a data pattern and a computer network resource” is the advertising server process by which a banner ad is selected based on the information about the user requesting the web page; the “data pattern” is the combination of the various pieces of information collected about a particular user, and the “association” between the “data pattern” and the “computer network resource” is the result of the banner ad being selected for a particular user, said selection based on the combination of the various pieces of information considered).



Merriman fails to expressly disclose:

- a data pattern that defines an arrangement of user-viewable text;
- locating the data pattern in the first data structure;
- generating a second data structure including a link indicating the computer network resource associated with the located data pattern, wherein the generating step includes:
  - inserting into the first data structure a hyperlink associated with a URL of the computer network resource,
  - and in which the hyperlink is inserted at a location that is based on a location of the located data pattern.

Van Hoff teaches a method for cross-referencing content of a first data structure to a computer network resource (see Column 2, Line 66 through Column 3, Line 3), comprising:

- a data pattern that defines an arrangement of user-viewable text (see Figures 3 and 4; see Column 6, Line 64 through Column 8, Line 29 – the referenced invention teaches this limitation in that the annotation proxy server parses the requested document and compares the text of said document to match patterns in the annotation directory);
- locating the data pattern in the first data structure (see Figures 3 and 4; see Column 6, Line 64 through Column 8, Line 29 – the referenced invention teaches this limitation in that the annotation proxy server parses the requested document

and compares the text of said document to match patterns in the annotation directory);

- generating a second data structure including a link indicating the computer network resource associated with the located data pattern (see Figures 3 and 4; see Column 6, Line 64 through Column 8, Line 29 – the referenced invention teaches this limitation in that the automated document annotation system inserts a hyperlink to a cross-reference source whenever the text of the requested document matches a match pattern in the annotation directory and generates the annotated document), wherein the generating step includes:
  - inserting into the first data structure a hyperlink associated with a URL of the computer network resource (see Figure 4 – the referenced invention teaches this limitation, as clearly indicated in the cited figure),
  - and in which the hyperlink is inserted at a location that is based on a location of the located data pattern (see Figures 3 and 4 – the referenced invention teaches this limitation, as clearly indicated in the cited figures),

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document (see Column 2, Lines 7-11).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Merriman, to include:

- a data pattern that defines an arrangement of user-viewable text;
- locating the data pattern in the first data structure;
- generating a second data structure including a link indicating the computer network resource associated with the located data pattern, wherein the generating step includes:
  - inserting into the first data structure a hyperlink associated with a URL of the computer network resource,
  - and in which the hyperlink is inserted at a location that is based on a location of the located data pattern,

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document, as taught by van Hoff.

*Claim 41:*

Merriman discloses the method of Claim 40, wherein the defining step includes selecting the customized viewpoint from among a plurality of viewpoints (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention selects the customized viewpoint from among a “plurality of viewpoints” in that the advertising server keeps information about a plurality of users in order to determine which banner advertisements to send to a particular user).

*Claim 42:*

Merriman discloses the method of Claim 41, wherein the selecting step includes selecting the customized viewpoint based upon data that identifies the user (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention selects the customized viewpoint “based upon data that identifies the user” in that the advertising server gathers information about individual users - thus “identifying” the individual users - and uses that information to select a particular set of banner advertisements).

*Claim 43:*

Merriman discloses the method of Claim 41, wherein the selecting step includes selecting the customized viewpoint based upon a characteristic of the user (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention selects the customized viewpoint based upon a “characteristic” of the user in that it uses information such as the user’s country, organization type and/or interests to select a user’s “customized viewpoint”).

*Claim 44:*

Merriman discloses the method of Claim 41, wherein the selecting step includes selecting the customized viewpoint based upon a selection by the user (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention selects the customized viewpoint based upon a “selection by the user” in that it uses information such as web pages previously visited by the user to select a user’s “customized viewpoint”).

*Claim 45:*

Merriman discloses the method of Claim 41, wherein the selecting step includes selecting the customized viewpoint based upon data obtained from a cookie file stored on a computer that is being operated by the user (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention selects the customized viewpoint based upon a data obtained from a “cookie file” stored on a computer that is being operated by the user as specified in the cited text).

*Claim 46:*

Merriman discloses the method of Claim 40, wherein the user is a member of an organization, and the customized viewpoint is defined by the organization (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention discloses this limitation as indicated in the above rejection for Claim 43).

*Claim 47:*

Merriman discloses the method of Claim 40, wherein the user is a member of a category of users, and the viewpoint is customized for the category of users (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention discloses this limitation in that an “organization” is a “category of users” and the “viewpoint” is “customized” based on information collected by the advertising server process for that particular category of users).

*Claim 48:*

Merriman fails to expressly disclose:

- a viewpoint that is defined to include a plurality of preferences, each providing an association between a data pattern and a computer network resource, in which each data pattern defines a respective arrangement of user-viewable text,
- and a locating step that includes locating the data pattern of any of the preferences in the first data structure.

Van Hoff teaches a method for cross-referencing content of a first data structure to a computer network resource (see Column 2, Line 66 through Column 3, Line 3), comprising:

- a viewpoint that is defined to include a plurality of preferences (see Figure 2; see Column 4, Line 57 through Column 6, Line 63 – the referenced invention teaches this limitation in that the annotation proxy server parses the requested document and compares the text of said document to a plurality of match patterns in the annotation directory), each providing an association between a data pattern and a computer network resource (see Figures 3 and 4; see Column 6, Line 64 through Column 8, Line 29 – the referenced invention teaches this limitation in that each match pattern in the annotation proxy server is paired with a hyperlink), in which each data pattern defines a respective arrangement of user-viewable text (as indicated in the above rejection for Claim 40, the reference invention teaches this limitation),

- and a locating step that includes locating the data pattern of any of the preferences in the first data structure (as indicated in the above rejection for Claim 40, the reference invention teaches this limitation),

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document (see Column 2, Lines 7-11).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Merriman, to include:

- a viewpoint that is defined to include a plurality of preferences, each providing an association between a data pattern and a computer network resource, in which each data pattern defines a respective arrangement of user-viewable text,
- and a locating step that includes locating the data pattern of any of the preferences in the first data structure,

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document, as taught by van Hoff.

*Claim 49:*

Merriman fails to disclose a generating step that includes generating the second data structure to include a link indicating the computer network resource associated with each data pattern that is located.

Van Hoff teaches a method for cross-referencing content of a first data structure to a computer network resource (see Column 2, Line 66 through Column 3, Line 3), comprising:

- a generating step that includes generating the second data structure to include a link indicating the computer network resource associated with each data pattern that is located (see Column 7, Lines 24-55 – the reference invention teaches this limitation in that the automated document annotation system inserts a hyperlink to a cross-reference source whenever the text of the requested document matches a corresponding match pattern in the annotation directory; thus, if the document includes a plurality of matching pattern, then a plurality of hyperlinks will be inserted into the document),

for the purpose of automatically providing multiple links in a first electronic document being presented to a user so as to interconnect the first document to other electronic documents that are known to contain information related to topics of the first document (see Column 2, Lines 7-11).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Merriman, to include:



- a generating step that includes generating the second data structure to include a link indicating the computer network resource associated with each data pattern that is located,

for the purpose of automatically providing multiple links in a first electronic document being presented to a user so as to interconnect the first document to other electronic documents that are known to contain information related to topics of the first document, as taught by van Hoff.

*Claim 50:*

Merriman fails to expressly disclose:

- a preference that associates a plurality of data patterns with the computer network resource, in which each data pattern defines a respective arrangement of user-viewable text,;
- and the locating step includes locating any of the data patterns in the first data structure.

Van Hoff teaches a method for cross-referencing content of a first data structure to a computer network resource (see Column 2, Line 66 through Column 3, Line 3), comprising:

- a preference that associates a plurality of data patterns with the computer network resource, in which each data pattern defines a respective arrangement of user-viewable text (the referenced invention teaches this limitation in that the

annotation directories are capable of including a plurality of match patterns that correspond to a single hyperlink),

- and a locating step that includes locating any of the data patterns in the first data structure (as indicated in the above rejection for Claim 40, the referenced invention teaches this limitation),

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document (see Column 2, Lines 7-11).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Merriman, to include:

- a preference that associates a plurality of data patterns with the computer network resource, in which each data pattern defines a respective arrangement of user-viewable text,
- and a locating step that includes locating any of the data patterns in the first data structure.

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document, as taught by van Hoff.

*Claim 51:*

Merriman discloses the method of Claim 40, wherein the first data structure is in conformance with a hypertext markup standard (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention includes a “first data structure that is in conformance with a hypertext markup standard” in that it discloses an affiliate web page).

*Claim 52:*

Merriman discloses the method of Claim 40, wherein the first data structure is selected from a group consisting of a user-displayable text file and a database (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention includes a “first data structure that is selected from a group consisting of a user-displayable text file and a database” in that it discloses an affiliate web page retrieved from a server).

*Claim 54:*

Merriman fails to disclose a defining step that includes defining a database including a plurality of preferences, each providing an association between at least one data pattern and a computer network resource.

Van Hoff teaches a method for cross-referencing content of a first data structure to a computer network resource (see Column 2, Line 66 through Column 3, Line 3), comprising:

- a defining step that includes defining a database including a plurality of preferences, each providing an association between at least one data pattern and a computer network resource (see Figures 1 and 2; see Column 3, Line 66 through Column 6, Line 63 – the reference invention teaches this limitation in that the annotation proxy server comprises annotation directories, each said directory including a plurality of match patterns and corresponding hyperlinks to related documents),

for the purpose of automatically providing multiple links in a first electronic document being presented to a user so as to interconnect the first document to other electronic documents that are known to contain information related to topics of the first document (see Column 2, Lines 7-11).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Merriman, to include:

- a defining step that includes defining a database including a plurality of preferences, each providing an association between at least one data pattern and a computer network resource,

for the purpose of automatically providing multiple links in a first electronic document being presented to a user so as to interconnect the first document to other electronic documents that are known to contain information related to topics of the first document, as taught by van Hoff.

*Claim 55:*

Merriman discloses the method of Claim 40, wherein at least one of the defining, locating and generating steps is performed at a first computer, and at least one of the defining, locating and generating is performed at a second computer (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention comprises each of these elements, as indicated in the cited text).

*Claim 56:*

Merriman discloses the method of Claim 55, wherein the first and the second computers are in communication via a network (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention comprises each of these elements, as indicated in the cited text).

*Claim 57:*

Merriman discloses the method of Claim 56, wherein the first computer comprises a network server and the second computer comprises a client device (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention comprises each of these elements, as indicated in the cited text).

*Claim 58:*

Merriman fails to expressly disclose a locating step that is performed at a first computer, and further comprises presenting the second data structure to the user at a second computer.

Van Hoff teaches a method for cross-referencing content of a first data structure to a computer network resource (see Column 2, Line 66 through Column 3, Line 3), comprising:

- a locating step that is performed at a first computer, and further comprises presenting the second data structure to the user at a second computer (see Figures 1-4; see Column 3, Line 66 through Column 8, Line 29 – the reference invention teaches this limitation in that the annotation proxy server locates the match patterns, obtains the corresponding hyperlinks and presents the annotated document to the user at the client computer),

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to a topic of the first document (see Column 2, Lines 7-11).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Merriman, to include:

- a locating step that is performed at a first computer, and further comprises presenting the second data structure to the user at a second computer,

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to a topic of the first document, as taught by van Hoff.

*Claim 59:*

Merriman fails to expressly disclose a generating step that is performed at a network server, and further comprises presenting the second data structure to the user at a computer system coupled to the network server.

Van Hoff teaches a method for cross-referencing content of a first data structure to a computer network resource (see Column 2, Line 66 through Column 3, Line 3), comprising:

- a generating step that is performed at a network server, and further comprises presenting the second data structure to the user at a computer system coupled to the network server (see Figures 1-4; see Column 3, Line 66 through Column 8, Line 29 – the reference invention teaches this limitation in that the annotation proxy server locates the match patterns, obtains the corresponding hyperlinks, generates an annotated document and presents the annotated document to the user at the client computer),

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic

document that is known to contain information related to a topic of the first document (see Column 2, Lines 7-11).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Merriman, to include:

- a generating step that is performed at a network server, and further comprises presenting the second data structure to the user at a computer system coupled to the network server,

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to a topic of the first document, as taught by van Hoff.

*Claim 60:*

Merriman discloses the method of Claim 40, further comprising receiving a request to retrieve the first data structure, and retrieving the first data structure from a first computer in response to the request (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention comprises each of these elements in that it “receives a request to retrieve” from the client user and “retrieves the first data structure” from the advertising server).



*Claim 61:*

Merriman fails to expressly disclose:

- a defining step that defines a database including a plurality of preferences, each preference associating a data pattern that may be located in the first data structure with a computer network resource identified by a Uniform Resource Locator,
- in which each data pattern defines a respective arrangement of user-viewable text.

Van Hoff teaches a method for cross-referencing content of a first data structure to a computer network resource (see Column 2, Line 66 through Column 3, Line 3), comprising:

- a defining step that defines a database including a plurality of preferences (see Figure 2; see Column 4, Line 57 through Column 6, Line 63 – the referenced invention teaches this limitation in that the annotation proxy server parses the requested document and compares the text of said document to a plurality of match patterns in the annotation directory), each preference associating a data pattern that may be located in the first data structure with a computer network resource identified by a Uniform Resource Locator (see Figures 3 and 4; see Column 6, Line 64 through Column 8, Line 29 – the referenced invention teaches this limitation in that each match pattern in the annotation proxy server is paired with a hyperlink),

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- in which each data pattern defines a respective arrangement of user-viewable text (as indicated in the above rejection for Claim 40, the reference invention teaches this limitation),

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document (see Column 2, Lines 7-11).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Merriman, to include:

- a defining step that defines a database including a plurality of preferences, each preference associating a data pattern that may be located in the first data structure with a computer network resource identified by a Uniform Resource Locator,
- in which each data pattern defines a respective arrangement of user-viewable text,

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document, as taught by van Hoff.

*Claim 62:*

Merriman discloses the method of Claim 61, wherein the URL identifies at least one object selected from a group consisting of a Web site, a Web page, an application, an applet and a script (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention comprises this element, as indicated in the above rejection for Claim 40).

*Claim 64:*

Merriman fails to disclose an inserting step that includes inserting the hyperlink at a location within the first data structure based on a location of the located data pattern to generate the second data structure.

Van Hoff teaches a method for cross-referencing content of a first data structure to a computer network resource (see Column 2, Line 66 through Column 3, Line 3), comprising:

- an inserting step that includes inserting the hyperlink at a location within the first data structure based on a location of the located data pattern to generate the second data structure (see Figures 1-4; see Column 3, Line 66 through Column 8, Line 29 – the reference invention teaches this limitation in that the annotation proxy server inserts hyperlinks at the text in the document that matches the match patterns and generates an annotated document),

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic

document that is known to contain information related to the topic of the first document (see Column 2, Lines 7-11).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Merriman, to include:

- an inserting step that includes inserting the hyperlink at a location within the first data structure based on a location of the located data pattern to generate the second data structure,

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document, as taught by van Hoff.

*Claim 65:*

Merriman fails to expressly disclose an inserting step that includes inserting in accordance with a hypertext markup language at least one of text and a graphic associated with the hyperlink.

Van Hoff teaches a method for cross-referencing content of a first data structure to a computer network resource (see Column 2, Line 66 through Column 3, Line 3), comprising:

- an inserting step that includes inserting in accordance with a hypertext markup language at least one of text and a graphic associated with the hyperlink (see

Figure 4 – the reference invention teaches this limitation, as clearly indicated in the cited figure),

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document (see Column 2, Lines 7-11).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Merriman, to include:

- an inserting step that includes inserting in accordance with a hypertext markup language at least one of text and a graphic associated with the hyperlink, for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document, as taught by van Hoff.

*Claim 66:*

Merriman fails to expressly disclose an inserting step that includes replacing the located data pattern in the first data structure with the hyperlink to generate the second data structure.

Van Hoff teaches a method for cross-referencing content of a first data structure to a computer network resource (see Column 2, Line 66 through Column 3, Line 3), comprising:

- an inserting step that includes replacing the located data pattern in the first data structure with the hyperlink to generate the second data structure (see Column 2, Lines 16-38 – the reference invention teaches this limitation in that the prior art includes filters that replace text in documents with hyperlinks),

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document (see Column 2, Lines 7-11).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Merriman, to include:

- an inserting step that includes replacing the located data pattern in the first data structure with the hyperlink to generate the second data structure,

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document, as taught by van Hoff.

*Claim 67:*

Merriman fails to expressly disclose an inserting step that includes inserting modified text at a location in the first data structure, the modified text appearing different from text adjacent to the location in the first data structure.

Van Hoff teaches a method for cross-referencing content of a first data structure to a computer network resource (see Column 2, Line 66 through Column 3, Line 3), comprising:

- an inserting step that includes inserting modified text at a location in the first data structure, the modified text appearing different from text adjacent to the location in the first data structure (see Figure 4; see Column 8, Lines 49-63 – the reference invention teaches this limitation, as clearly indicated in the cited figure and text),

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document (see Column 2, Lines 7-11).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Merriman, to include:

- an inserting step that includes inserting modified text at a location in the first data structure, the modified text appearing different from text adjacent to the location in the first data structure,

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document, as taught by van Hoff.

*Claim 68:*

Merriman fails to expressly disclose an inserting step that includes inserting modified text that appears different from the text substantially adjacent to the location in the first data structure by being selected from a group consisting of underlined text, bold text, text of a different font, text of a different size and text of a different color.

Van Hoff teaches a method for cross-referencing content of a first data structure to a computer network resource (see Column 2, Line 66 through Column 3, Line 3), comprising:

- an inserting step that includes inserting modified text that appears different from the text substantially adjacent to the location in the first data structure by being selected from a group consisting of underlined text, bold text, text of a different font, text of a different size and text of a different color (see Figure 4; see Column 8, Lines 49-63 – the reference invention teaches this limitation, as clearly indicated in the cited figure and text),

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic



document that is known to contain information related to the topic of the first document (see Column 2, Lines 7-11).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Merriman, to include:

- an inserting step that includes inserting modified text that appears different from the text substantially adjacent to the location in the first data structure by being selected from a group consisting of underlined text, bold text, text of a different font, text of a different size and text of a different color,

for the purpose of automatically providing a link in a first electronic document being presented to a user so as to interconnect the first document to a second electronic document that is known to contain information related to the topic of the first document, as taught by van Hoff.

*Claim 69:*

Merriman discloses an inserting step that includes inserting an identification of originator into the hypertext link, the identification of originator identifying a party that generated the preference (see Column 2, Line 59 through Column 3, Line 22 – the referenced invention comprises this element in that banner advertising indicates the source of that advertising and thus inserts the identification of the party that “generated” the banner advertising).

*Claim 70:*

Merriman discloses a hyperlink that is inserted such that the hyperlink appears to the user as an icon (see Column 2, Line 59 through Column 3, Line 22 – the referenced invention comprises this element as clearly indicated in the cited text).

*Claim 71:*

Merriman discloses storing, with the association, an identification of a party that generated the association (see Column 2, Line 59 through Column 3, Line 22 – the referenced invention comprises this element in that banner advertising indicates the source of that advertising and thus “stores” the identification of the party that “associated” the banner advertising with the affiliate web page).

*Claim 72:*

Merriman discloses a second data structure that is in conformance with a hypertext markup language (see Column 3, Lines 24-63 – the referenced invention comprises this element as clearly indicated in the cited text), the link is a hyperlink (see Column 3, Lines 24-63 – the referenced invention comprises this element as clearly indicated in the cited text), and the identification is stored as a tag in the hyperlink (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention comprises this element in that the attributes for the banner advertising comprise markup language tags that that define the banner advertising which indicates the source of that advertising).

*Claim 73:*

Merriman discloses storing an indication of a total number of times the preference has been accessed (see Column 4, Lines 43-54 – the referenced invention comprises this element in that it counts the number of times various advertisements have been seen by users).

*Claim 74:*

Merriman discloses the method of Claim 40, further comprising storing an indication of a number of times the preference has been accessed since the user last activated a link that was generated using that preference (see Column 4, Lines 43-54 – the referenced invention comprises this element in that it counts the number of times an individual user has seen a particular advertisement).

*Claim 75:*

Merriman discloses storing a status that indicates whether the association provided by the preference is enabled (see Column 4, Lines 55-64 – the referenced invention comprises this element in that it includes start dates and end dates for the preferences; each association is “enabled” if the end date has not yet expired).

*Claim 76:*

Merriman discloses altering the status when the association has been made a predetermined number of times (see Column 4, Lines 43-54 – the referenced invention comprises this element as indicated in the cited text).

*Claim 77:*

Merriman discloses the method of Claim 75, further comprising altering the status when the link to the computer network resource has been activated to access the computer network resource a predetermined number of times (see Column 2, Line 59 through Column 9, Line 16 – the referenced invention comprises this element as indicated in the cited text).

*Claim 78:*

Merriman discloses receiving an authorization to adjust the status of the association, and altering the status based upon the authorization (see Column 4, Line 44 through Column 5, Line 7 – the referenced invention comprises this element in that it includes a start date and end date for a banner advertisement; when the end date arrives, it “receives authorization” to change the status of the advertisement).

*Claim 79:*

Merriman discloses altering the status as a function of time (see Column 4, Line 44 through Column 5, Line 7 – as indicated in the above rejection for Claim 78, the referenced invention comprises this element).

*Claim 80:*

Merriman discloses, upon including the link in the second data structure, delivering an indication thereof to a party involved in providing the association (see Column 2, Line 59 through Column 3, Line 4 – the referenced invention comprises this element in that it discloses advertising fees paid to the affiliates for displaying banner advertising on their web sites).

*Claim 81:*

Merriman discloses causing an exchange of monetary value with the party involved in providing the association, upon delivery of the indication (see Column 2, Line 59 through Column 3, Line 4 – the referenced invention comprises this element in that it discloses advertising fees paid to the affiliates for displaying banner advertising on their web sites).

*Claim 82:*

Merriman discloses, upon activation of the link included in the second data structure, delivering an indication thereof to a party involved in providing the association

(see Column 2, Line 59 through Column 3, Line 4; see Column 4, Lines 43-54 – the referenced invention comprises this element in that it discloses counting the number of times a user has seen an advertisement and charging advertising fees paid to the affiliates for displaying banner advertising on their web sites).

*Claim 83:*

Merriman discloses causing an exchange of monetary value with the party involved in providing the association, upon delivery of the indication (see Column 2, Line 59 through Column 3, Line 4; see Column 4, Lines 43-54 – as indicated in the above rejection for Claim 82, the referenced invention comprises this element).

*Claims 84 and 85:*

Claims 84 and 85 merely recite a computer system that performs the methods of Claims 1 and 40, respectively. Thus, Merriman, in view of van Hoff, discloses/teaches every limitation of Claims 84 and 85 using the same rationale indicated in the above rejections for Claims 1 and 40.

Claim 53 is rejected under 35 U.S.C. 103(a) as being unpatentable over Merriman, in view of van Hoff, and further in view of Rodkin et al., U.S. Patent No. 6,092,074.

*Claim 53:*

As indicated in the above rejection for Claim 40, Merriman, in view of van Hoff, discloses/teaches every limitation of Claim 40.

Merriman, in view of van Hoff, fails to disclose/teach a first data structure that is selected from a group consisting of an applet and a script.

Rodkin teaches a method for cross-referencing content of a first data structure to a computer network resource (see Column 1, Lines 7-14), comprising:

- a first data structure that is selected from a group consisting of an applet and a script (see Column 14, Line 21 through Column 17; see Column 22, Lines 35-64 – the referenced invention discloses this limitation in that it includes an annotator on a central server; the central server also comprises a script that formats hit counts for billing and marketing purposes),

for the purpose of formatting hit counts for billing and marketing purposes (Column 3, Lines 40-42).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Merriman, in view of van Hoff, to include:

- a first data structure that is selected from a group consisting of an applet and a script,

for the purpose of formatting hit counts for billing and marketing purposes, as taught by Rodkin.

***Response to Arguments***

Applicant's arguments filed 14 June 2004 have been fully considered but they are not persuasive.

*Arguments for Claims 1-62 and 64-85:*

Applicant's arguments with respect to the claims have been considered but are moot in view of the new grounds of rejection.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.



Art Unit: 2179


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Doug Hutton whose telephone number is (571) 272-4137. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached at (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.

WDH

November 17, 2004

  
HEATHER R. HERNDON  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100